

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12123 of 2020

Arising Out of PS. Case No.-158 Year-2019 Thana- NAYAGAON District- Saran

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DHURKHELI MAHTO, Son of Chandeshwar Mahto, Resident of Village -
Chhitupakar Bintoli, Police Station - Nayagaon, District - Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Adv.

For the Opposite Party/s : Mr. Madhura Nand Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 04-06-2020 The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Sections 147, 148,
341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.

Informant has stated that on 31.10.2019 while he
went to his field, 12 accused persons including the petitioner
variously armed attacked him by iron rod on his head and fell
down, co-accused Shatrughan Mahto took out his mobile phone
and Lalita Devi took out Rs. 5000/- from his pocket thereafter
his brother Shailendra Singh and other reached there and the



accused persons also assaulted with knife on the head of Shailendra Singh.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to dirty village politics. Both parties have sustained injuries and they were gotiyas. The case has been lodged due to family dispute going on between the parties for which a Title Suit No. 246 of 2018 is also pending in the court below. Petitioner is in custody since 31.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Nayagaon P.S. Case No. 158 of 2019 subject to the conditions that:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every



date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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